

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-4400**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

SEUNG-JAE CHOI,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Leonie M. Brinkema, District Judge. (CR-04-183)

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Submitted: September 24, 2004

Decided: October 15, 2004

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Before WILKINSON, MICHAEL, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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David A. Oblon, ALBO & OBLON, L.L.P., Arlington, Virginia, for Appellant. Paul J. McNulty, United States Attorney, Charles J. Dlabik, Jr., Paul A. Embroski, Special Assistant United States Attorneys, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Seung-Jae Choi appeals from the district court order affirming his convictions for driving while intoxicated, 32 C.F.R. §§ 234.17(c)(1)(ii) & 234.19(a), driving while under the influence of alcohol, 32 C.F.R. §§ 234.17(c)(1)(i) & 234.19(a), and two counts of failing to obey a clearly posted stop sign, 32 C.F.R. §§ 234.17(a) & 234.19(a), assimilating Va. Code Ann. § 46.2-830 (2002). On appeal, he argues that the court erred in imposing criminal penalties rather than civil penalties, that the Government failed to prove wilful violations, that the evidence was insufficient to support his conviction, and that the trial court erred in denying his motion to suppress and allowing the Government to introduce evidence of his prior alcohol-related convictions. We have reviewed the parties' briefs, the joint appendix, and the lower court's opinions and orders and find no reversible error. Accordingly, we affirm Choi's convictions. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED